

Analyzing the Kantian Amphiboly for the Animals

Research Thesis

Presented in partial fulfillment of the requirements for graduation *with research distinction* in Philosophy in the undergraduate college of The Ohio State University

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December 2016

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Introduction

One of the major abiding challenges for Immanuel Kant's moral theory has been its apparent inability to account for our duties to animals¹. Even many Kantians have accepted that if Kant cannot adequately account for such duties, it would be a major black mark for his theory. Kant argues that our duties to animals, those without rational nature, can be only indirect. By, "indirect" he means that duties to animals are a consequence of our direct duties to human beings who have rational natures. What is more, the claims about animals extend to the mentally handicapped and small children; I am, consequently, putting the aforementioned three beings into the same category. Any claim made about one being can also be said about the other two. So, while this paper primarily writes of animals, keep in mind that the conclusions I reach about animals also apply to small children and the mentally handicapped². Many argue that common sense tells us we have direct duties to animals to treat them respectfully. This, consequently, raises some questions: is it true that Kant is committed to such *prima facie* counterintuitive results, and is it correct to say that common sense tells us that we have direct duties to animals?

One immediate question is whether our having only indirect duties to animals would be so counterintuitive. Consider the combination of these three passages from Kant:

As far as reason alone can judge, a human being has duties only to human beings (himself and others), since his duty to any subject is moral constraint by that subject's will. Hence the constraining (binding) subject must first be a person... [MM, 6:442]

For these [animals] are beings lacking reason, which can neither bind us nor by which we can be bound. [MM, 6:241]

With regard to the animate but nonrational part of creation, violent and cruel treatment of animals is far more intimately opposed to a human being's duty to himself, and he has a duty to refrain from this; for it dulls his shared feeling of their suffering and so weakens

¹ Within this paper, 'animals' refers to non-human animals.

² Objections to this are addressed in section 7.

and gradually uproots a natural predisposition that is very serviceable to morality in one's relations with other men. [MM, 6:443]

I believe these passages make clear that while Kant denies that we have direct duties to animals, Kant posits indirect duties for us regarding animals that rule out certain kinds of treatment. However, an indirect duty is not, in Kant's view, strictly a duty in its own right. It is rather a means to fulfill a direct duty. Regarding animal rights, Kant argues that treating animals well is needed as a means to improve our moral character. Upholding our moral character is a direct duty. I shall develop his reasons for this in what follows. Only because we have a direct duty to improve our moral character, do we have an indirect duty to treat animals well.

Objectors to Kant argue that one ought to feed a starving dog - simply because the dog deserves to be fed and not only to improve one's own moral character. Kantians have tried to appease those sympathetic to a direct account of animal rights in one of two ways: find resources within Kant's theory to yield direct duties to animals, or explain why indirect duties regarding animals is all anyone should ask for. Christine Korsgaard and Allen Wood are distinguished Kantians who fall into the former category. In sections 2 and 3, I try to show why their arguments must fail given the constraints of Kant's normative theory. Any argument issuing in direct duties to animals simply cannot be squared with Kant's own views. If Kant's theory cannot account for direct duties to animals, however, this need not undermine his moral theory. Section 4 draws out an attempt by commentator Lara Denis to show how Kant's own account of indirect duties to animals is rather more compelling than some critics have allowed. In sections 5 and 6, I argue for what I take to be the best version of this sort of account. I then argue, in section 7, that once one has accepted some basic Kantian commitments concerning our moral duties (commitments reinforced by common sense) indirect duties to animals is all we should expect or want. Those who expect otherwise are caught in what some have termed an amphiboly - a

confusion about the meaning of terms or concepts [MM, 6:442] concerning Kant's theory. Kant first proposed the amphiboly reply, and many have supported it. However, many have also rejected it. My own view is that the amphiboly has not been properly analyzed, and my thesis ultimately seeks to clarify the amphiboly itself. With the amphiboly properly analyzed, I contend the black mark will not be seen as a weakness but as a strength.

My thesis, then, has two parts. The first part attempts to demonstrate how Kantians who try to yield direct duties to animals are, in some way, not operating within the limits of Kantianism. Kant is committed to what are *prima facie* counterintuitive results, but I also argue that these Kantian theorists are not producing theories that correspond to the moral reality of the situation. The second part makes the case for a how a properly understood orthodox³ view of Kantianism best reflects what morally is the case. The *prima facie* counter-intuitiveness of Kant's results are not truly counterintuitive, upon closer inspection.

Preface: Section 1

Before addressing the proposed solutions of Korsgaard and Wood to the problem of direct duties to animals, I want to say something about the extent to which it will be necessary to rely on Kantian terminology to make my argument. One challenge in examining Kant's commitments is that they are couched in a technical language. Kant himself argued that he could not introduce his system except by way of this terminology:

I have no fear, as regards this treatise, of the reproach that I wish to introduce a new language, since that sort of knowledge here in question has itself somewhat of an everyday character. ... To invent new words where the language has no lack of expressions is a childish effort to distinguish oneself from the crowd, if not by new and true thoughts, yet by new patches on the old garment. ... But, as long as these thoughts

³ By, "orthodox" I mean, "Kantianism as Kant laid it out."

stand, I very much doubt that suitable and yet more common expressions for them can be found. [CPR, preface]

Kant interpreters have ever since endeavored to explain his thoughts in plain terms.

Nevertheless, it will be necessary to introduce some of Kant's terminology along the way for ease of expression. Kant himself worried about the intellectual errors that might result from a confusion over what words mean. Common language is understood slightly differently by each individual, and it is full of ambiguity or vagueness – the presence of which he termed an amphiboly. The amphiboly needs to be analyzed. There is no way to analyze an amphiboly without clearly explaining what the terms being used mean. I would, therefore, like to preface the discussion by introducing some general concepts and acquainting the reader with the basics of Kant's theory. In this vein, it is not necessary to discuss animals much here in the preface.

To approach Kant, it is first important to get a sense of how his commitment to rationality entails the moral law. Kant begins with taking the moral law as given by a fact of reason, and right action is done in accordance with -as well as out of respect for- the moral law [CPR: preface, & Bk1, Ch1, VI. Problem II, & VII. Fundamental Law of Pure Practical Reason]. This is grounded fundamentally in the thought that moral norms have an unconditional or categorical nature. The idea of respect for law itself (rather than for any particular desire) captures this categorical force. As a result, Kant examines the constraints on what it is to be a self-legislator; that is, an autonomous agent who through reason discerns which practical principles count as law. He then argues that our rational capacity to be autonomous agents is worthy of absolute respect.

An example will help. Say a man is in need of a loan. He can only get it if a promise is made that he will pay the money back in due time. Knowing he cannot pay back the money, this man asks himself if it is permissible (or consistent with duty) to make a false promise to get the

loan. Kant is committed to the thought that the rational autonomous agent is one who acts according to, and out of respect for, the moral law. By its nature, the moral law applies equally to all agents. So, when one acts according to a practical principle one is assuming everyone could act according to that same principle; i.e. it could be law. However, if we discover that a principle could not be followed by everyone, it could not be law. The agent could keep to that principle only on pain of irrationality. It follows, in our present case, that it must be permissible for others to make false promises if it is permissible for him to make one; but, the problem for this principle is that loans will not exist in a world where false promises to secure a loan are permissible. Thus, by making a false promise to get a loan and believing that the action is permissible, one is acting as if he does not want loans to exist; at the very same time one is acting as if he does want loans to exist, which is a contradiction [G, 422]. A principle of volition which leads to a contradiction cannot be a part of the moral law. The idea is that false promising can exist only in a world where a practice of promising exists. However, if everyone were allowed to false promise at will, the practice of promising would be undermined along with false promising. It would be irrational for a man to believe he is acting permissibly by making a false promise to get the loan. This reliance on rationality as the ultimate principle that determines the permissibility of our actions, makes the moral law a product of reason. The moral law is a fact of reason that all rational agents necessarily know [CPR: Bk1, Ch1, VII. Fundamental Law of the Pure Practical Reason].

Kant calls the moral law the categorical imperative. There are at least two versions of the categorical imperative, and I am limiting my discussion to the two most well understood versions. They are presented as different representations of the same theoretical entity. The version of the categorical imperative just given is called the formula of universal law: "Act only

according to that maxim whereby you can at the same time will that it should become a universal law.” [G, 421]. The formula of universal law tests maxims⁴ to see if they can be universally willed without contradiction. When an action cannot be universally willed without contradiction, it is irrational to will that action. Irrationally willing an action is disrespectful to our dignity; it is degrading to our humanity⁵. This makes the rational will a faculty of determining itself to action in accordance with the representation of certain laws. A will can only be found in rational beings [G, 427] and is required for autonomy.

Let us say the man in the previous example is inclined to fear of punishment as the incentive for his action of not making a false promise to get a loan. In such a case the action is inclined to selfish ambition and not motivated by respect for duty. Clearly, an action of this kind has no moral worth [G, 397]. Kant’s distinction between inclinations and motives is important to understand for the upcoming sections. A motive is the objective ground of volition [HDK, pg. 427 & G, 427] to uphold duty. Motives may arise from reason, by which the moral law -itself- is the driving force to action. Inclinations, by contrast, are habitually sensed desires [HDK, pg. 151]. Incentives arise from inclinations as the objects of desires [HDK, pg. 427]. To illustrate, a man may not desire (or be inclined) to refrain from making a false promise, but he may be motivated to do so out of respect for duty. So, we are not enslaved by our desires but can freely act on reason. Our man in question now realizes that he can refrain from acting on his inclinations to make the false promise; for, he realizes that he ought to be motivated to do so [CPR: Bk1, Ch1 VI. Problem II]. This man sees that he is free from his inclinations and is

⁴ Maxim: the subjective principle of the will that an agent makes for himself [MM, 6:225]; it may, or may not, be objectively determined by the moral law [HDK, pg. 180]. In other words, it is a decision procedure for determining a course of action.

⁵ For Kant, ‘humanity’ represents an engineered concept, not a biological species. It refers to autonomy or rational nature.

autonomous⁶, a fact he could not have known without the moral law. Thus, freedom and the moral law reciprocally imply each other [CPR: Bk1, Ch1, VI. Problem II]. Notice the duty to refrain from making a false promise springs from this man's own reason. The man legislates this law for himself. [G, 432] It follows that freedom is not a choice for or against the law. Freedom is a choice for the law. When one acts against the law, he does so because inclinations have overwhelmed him to degrade his humanity. Only an action in accordance with the law can be consistently willed and is free: autonomous.

Freedom (in Kant's technical sense) involves choice via a rational will, and inclination is something other than that. In the technical terminology that has been laid out, the term 'autonomy' (according to Kant) can be defined as such: a property of a will acting from the motive of duty to respect the universal legislative form of its maxim (i.e., the categorical imperative) [CPR: Bk1, Ch1, VIII. Theorem IV]⁷. This is what is meant by, "The moral law first determines the will objectively and directly in the judgement of reason; and freedom, whose causality can be determined only by the law, consists just in this, that it restricts all inclinations..." [CPR: Book 1, Chapter 3]. Therefore, autonomy is what is inherently good. For acting morally is acting autonomously and acting morally is inherently good.

'Heteronomy' is another Kantian term of importance for the upcoming sections. Autonomy contrasts to heteronomy of the elective will. Heteronomy is characteristic of a will acting from inclination when that will could be acting autonomously [G, 441]. Keeping with our previous example, a man who makes a false promise is acting heteronomously and not

⁶ Animals are thought to be solely driven by their inclinations and, hence, are neither autonomous nor free.

⁷ In section 2, this kind of autonomy will sometimes be denoted by the words 'rational autonomy' to distinguish it from the concept of "preference autonomy" (defined in section 2). 'Autonomy' (in this paper) always denotes "rational autonomy". 'Rational autonomy' will only be used in place of 'autonomy' for clarity when discussing "preference autonomy". Understand that 'rational autonomy' and 'autonomy' denote the same concept.

autonomously. This may sound strange as it means that one who acts on inclinations, to not follow duty, is not acting freely. However, the idea is easier to intuit in the case of drug addicts. A drug addict may be motivated to stop taking drugs by a duty to promote his own health. However, such a drug addict may be unable to resist his inclination to drugs. The drugs have robbed some freedom from the addict. Hence, drug addicts can have a lower level of autonomy and a higher level of heteronomy.

Since man can be autonomous, man must be treated as inherently good. That which is inherently good is not merely a means for some other end; rather, what is inherently good is an end. Thus, “Now I say that man, and in general every rational being, exists as an end in himself and not merely as a means to be arbitrarily used by this or that will. He must in all his actions, whether directed to himself or to other rational beings, always be regarded at the same time as an end.” [G, 428]. This brings us to the second formulation of the categorical imperative: the formula of humanity, “Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never merely as a means.” [G, 429]

I now want to introduce some more terminology which is needed in later sections and will help illustrate the humanity formula’s use: objective ends and subjective ends. Objective ends are inherently valuable independently of what people desire or are inclined to, and members of humanity fit this description on Kant’s theory. Subjective ends are valuable only insofar as one is inclined to them [G, 427-428]. For the formula of universal law and the humanity formula of the categorical imperative to be two different representations one theoretical entity, it is necessary (but not sufficient) for them to both yield the same results in every case. Accordingly, let us stick to our previous example of a man who is inclined to the incentive of a loan. A loan

is a subjective end, and a promise is a means for obtaining it. However, a person giving a loan is an objective end. When a person makes a false promise to a loaner, the loaner is making a choice to give the loan based on false information. So, the loaner is giving a loan, even though the loaner cannot possibly consent to giving it. The loaner's autonomy has not been respected; he has been used merely as a means for a subjective end which he cannot hold as his own, and that is wrong. When a loaner is given a true promise, the loaner can consent to the subjective end of giving the loan. The loaner's autonomy has been respected; he has been treated as an objective end, and this is good. It can be seen that the form of universal law and the humanity formula have yielded the same duty for our man in the case of making a false promise to acquire a loan. Additionally, the formula of universal law and the humanity formula will yield the same duties in every moral case. They cannot create contradictory duties since they are both products of pure reason. If they did, then reason will have contradicted itself. This is not possible. Therefore, the two versions of the categorical imperative are different representations of the one moral law. This is analogous to how there can be different styles of symbolic logic, which represent the same reasoning.

Humans can create, or deduce, duties for themselves in the way described above and thus impose obligations. Animals, however, cannot do this. Animals cannot use reason to see the moral law and become aware of duties, nor can they rationally consent to anything. It is assumed that animals only act from inclination, not from reason. Another way to see this point is by appeal to Kant's distinction between categorical and hypothetical imperatives. Animals cannot respond to categorical imperatives, only hypothetical imperatives. Imperatives are formulas for determining an action that is necessary according to a principle. If the action is good merely as a means for obtaining something else, the imperative is hypothetical. However, if the action is

good for its own sake and consequently necessary for a will which of itself can conform to reason as the principle, then the imperative is categorical [G, 414-415]. The family dog urinates outside, because it is inclined to the incentive of a treat. The hypothetical imperative here is this: “If I want a treat, then I must urinate outside. I want a treat and thus will urinate outside.” What a dog does not do is follow the categorical imperative by reasoning as follows: “If I urinate inside, I will negatively impact the health of my master. My master is an objective end, and negatively impacting his health is contrary to his dignity. *Ergo*, I will urinate outside from the motive to respect my duty to uphold my master’s dignity, by not negatively impacting his health.” The same can be said for small children who are being trained in these matters. On the other hand, bribing a rational adult to use the restroom would be quite degrading. Adults use the restroom because not using it is detrimental to health, and there is a moral duty to promote health. Since animals and small children can act only on hypothetical imperatives and not categorical ones, they cannot act autonomously. Their volition does not depend on reason but instead upon the inclinations of nature. Therefore, animals are not autonomous and not objective ends. Since they are not objective ends, they are not under the humanity formula’s protection. Animals can only be valued as subjective ends if we desire them for something and are therefore called things [G, 428]: “Respect applies always to persons only – not to things. The latter may arouse inclination (e.g., horses, dogs, etc.), even love or fear, like the sea, a volcano, a beast of prey; but never respect.” [CPR: Book 1, Chapter 3]

To forestall an objection, I wish to point out that it does not follow that we may enslave children or torture animals for the subjective ends of humanity. Animals and children do have inclinations as well as hypothetical imperatives. This means we can express beneficence or malice to them. Gratitude or ingratitude can be shown to them. Virtuous and vicious actions can

be performed regarding animals. When we act viciously to an animal, we practice that vice and strengthen it. Likewise, we strengthen a virtue by acting virtuously to an animal. Virtues are character traits which incline us obey the moral law and act autonomously; whereas, vices are character traits that inhibit our autonomy. Therefore, animals must be treated well as a means to improving our virtues, weakening our vices, and thereby acting autonomously. Any apparent duties we have to animals are really duties to ourselves, in regard to animals [MM, 6:442]. This is why duties regarding animals are called indirect, while duties to humans are direct. The details on this argument must be delayed to latter sections dealing with the second part of my thesis in favor of an orthodox approach to Kant. The two upcoming sections deal with my thesis' first part: Kantian theorists who wish to alter or add to Kant's theory are not working within the limits of Kantianism.

Section 2: Wood

Now I can consider two prominent arguments – by Allen Wood and Christine Korsgaard- for the claim that there is room within Kant's system for direct duties to animals. I will argue against these interpretive claims, but in ways that I hope will remind us of the attractions of Kant's moral theory.

I present two objections to Wood in this section. Wood needs preference autonomy (defined later) to be a necessary part of rational autonomy for his theory to work, but Wood does not explain why preference autonomy is a necessary condition for rational autonomy. My first objection simply assumes -as Wood does- that preference autonomy is a necessary condition for rational autonomy. My second objection is for those who do not buy my first objection or take issue with Wood's assumption. This second objection involves a thought experiment to show

that it is possible for a being to have rational autonomy and not preference autonomy, showing Wood's assumption to be false.

Wood argues that there are resources consistent with Kant's system to account for direct duties to animals. However, he begins by arguing that Kant's account of indirect duties needs to be replaced. Wood's objection to Kant's account of indirect duties regarding animals can be called, "the quirk of human psychology": if animals are merely a means to help us treat people as ends [Wood, pg. 7-8], then if it turned out to be a quirk of human psychology that torturing animals made one treat people better, torturing animals would be morally obligatory [Wood, pg. 7-8]. If there is a possible world in which torturing animals makes us treat people better by improving our virtue, the quirk of human psychology objection is damaging to Kant's account of indirect duties to animals. For Kant's theory entails that it is good to torture animals in a possible world where doing so improves our virtue and makes us treat people better⁸. The objection to Kant, as we have seen, is that this is inconsistent with what we consider to be a strong intuition many people have that our duties to animals are independent of their contribution to human virtue or human interests.

Within Kant's taxonomy of duties, ethical duties fall into two categories: duties to the self, and duties to others with humanity [MM, 6:240]. Only beings possessing humanity can create duties which obligate people. Wood calls that, "the personification principle" [Wood, pg.6]. Recall, that 'humanity' does not necessarily represent humans, for Kant. The word 'humanity' corresponds to Kant's engineered conception of "rational autonomy". But then, as long as the personification principle is true and animals lack humanity, animals cannot generate

⁸ This objection relies on the *a priori* nature of Kant's theory. The moral law is known *a priori*, because it is presented to us by reason and not the senses. Accordingly, Kant's theory of the moral law must hold true in all possible worlds universally. So, epistemically, the moral law's *a priori* nature yields the universality of moral law.

direct duties⁹. So, Wood argues that to accommodate direct duties to animals, Kantians must deny the personification principle [Wood, pg.10&13]. Denying the personification principle would make a big change to Kant's theory. The personification principle seems to follow directly from Kant's conclusion that humanity is the sole inherent good (i.e. the objective end). To deny it is to suggest that something else can be inherently good apart from humanity. Wood argues that there is, in fact, a third category within the duty taxonomy: duties to beings possessing necessary fragments of humanity [Wood, pg 11&15]. Here, Wood's argument turns on the thought that while animals are not fully persons, they possess necessary fragments of humanity in common with those who are fully persons. Such fragments are desires, pleasure, pain, and inclination based action to obtain objects (making said objects be incentives). Combined, these fragments make up what Tom Regan calls, "preference autonomy" [pg. 15, Wood].

Wood's project has two steps to it. The first relies on animals having preference autonomy, which Wood assumes to be a necessary fragment of humanity [Wood, p.15]. Humanity is an end in itself [Wood, p.9-10]. It ought to be respected for its own sake, not merely as a means. The second step is to argue that because animals share a necessary fragment of humanity, which is to be respected for its own sake, animals ought to be respected as ends for their own sake [Wood, implied on pg.7&12]¹⁰. In defense of this argument, Wood gives it an application to children to show that it corresponds to common sense. Further, Wood uses this to straighten out a Kantian paradox.

⁹ Wood does not use the "direct/indirect" duty terminology. It is safe to assume he thinks indirect duties are no duties at all.

¹⁰ Wood never actually says this. However, it is implied on page 12 when he says that small children who possess only fragments of humanity ought not to be treated merely as means. It is, further, implied on page 7. There, Wood claims the problem with Kant's account of animals is that it does not value them for their own sake.

Common sense says that children are inherently valuable. Wood thinks they are ends, yet are not autonomous. Children cannot easily be reasoned with. Instead, they are bribed and punished. For they act mostly, if not completely, from inclinations. Acting from the motive of duty is not a child's strong suit. Wood argues that if the personification principle holds true, children would be merely a means at our disposal. Children are not to be valued merely as a means but also as ends. It would show contempt for rational nature to not support its potential in children, and treat them merely as a means for the ends of those who are rational. Thus, Wood says, Kant's own commitments to respecting rationality entail rejecting the personification principle. For it involves placing inherent value on non-rational beings, such as children [Wood, pg. 12-13].

Wood also presses on whether Kant himself consistently holds to the personification principle. In certain passages Kant seems to argue that nature is to be valued for its own sake, despite not exhibiting rational autonomy. According to Wood, Kant creates a paradox by accepting the personification principle and claiming we should value the beauty of nature for its own sake. After all, valuing nature as an end -apart from its usefulness- is good practice for valuing others apart from their usefulness [MM 6:443]. Depending on the reasons for this claim, similar arguments could justify valuing animals for their own sake. However, this clearly contradicts the personification principle, which states only humanity is an end [Wood, pg. 14].

Wood has intuitive appeal, as well as an apparent fix of a paradox. I begin my first objection to Wood now. There are many occasions in which something that is merely a part of a whole, even a necessary part of a whole, is not itself valuable except insofar as the completed whole is actually in existence. Coffee beans are a necessary part of a cup of coffee. Many people find a cup of coffee to be valuable as a subjective end. Although, most people value coffee beans

only as a means to obtaining the subjective end of coffee. Analogously, just because preference autonomy is a necessary part of the objective end that is rational autonomy, it does not necessarily follow that preference autonomy is an objective end. It could be that preference autonomy is only valuable as a means for helping us humans act autonomously. This could happen if the inclinations of preference autonomy coincide with the moral law, and the action is still done from the motive of duty. Moreover, it could be that animals with their preference autonomy are only valuable as a means to help persons respect their own humanity.

Wood may reply (to my first objection) that when we disrespect preference autonomy, we are disrespecting a part of humanity [Wood, pg. 15]. My response is that disrespecting a part of humanity is not disrespecting humanity, just as buying coffee beans is not the same as buying a cup of coffee. Perhaps, if the premise that “Each necessary fragment of humanity is independently sufficient for being the objective end of humanity.” is added, then the argument might work. However, I find it more likely that the necessary fragments are jointly sufficient for the objective end of humanity. This is Wood’s general strategy: show that necessary parts of a valuable whole are themselves, each of them, valuable. Evidence that this is his strategy comes from Wood’s own words, “It should hold that honoring rational nature as an end in itself sometimes requires us to behave with respect toward non-rational beings if they bear the right relations to rational nature. Such relations, I will argue, include having ... necessary conditions of it.” [Wood pg. 11]; moreover, “...although nonhuman animals may not possess rational nature itself, they do possess recognizable fragments of it. They have capacities which we should value as the infrastructure ... of rational nature.” [Wood pg.15].

Logically, I cannot condone this stagey. Wood seems to be taking it as given that rational autonomy is an objective end, without considering that arguments have to be made to support

that claim. Wood cannot make his claims in a vacuum – Kant’s views are based on reasoning (laid out earlier) that must be addressed. I do not see how one could make an argument to justify rational autonomy being an objective end, when all the necessary parts of rational autonomy are independently sufficient for being an objective end. Take my own argument justifying rational autonomy as an objective end: “Autonomous nature exists as an end. For if autonomous nature was not an end, it would be a means. It could not control itself if it was a means, because the nature of a means is to be controlled for the purpose of something else. Autonomous nature can control itself and is not necessarily controlled by its inclinations. Hence, autonomous nature is not a means. Everything is either a means or an end. Therefore, autonomous nature is an end.” Now try running this argument by replacing “autonomous nature” with some necessary fragment of autonomous nature. The argument will not work to justify that necessary fragment as an objective end. The argument only works if all the necessary fragments of rational autonomy are jointly sufficient for the objective end of humanity and not independently sufficient. The reader is encouraged to try this exercise with any argument justifying rational nature as the objective end. I doubt the results will be any different.

An objection to Wood –given by Skidmore- is in the same spirit as mine. Skidmore writes, “It is no doubt true¹¹ that preference autonomy is necessary for rational autonomy ..., but it is not clear why respect for the dignity of rational autonomy entails respect for any being possessing some of its necessary conditions. After all, there are any number of necessary conditions for such autonomy in human beings: consciousness, the capacity to metabolize oxygen, the ability to digest food, and the ability to maintain a body temperature between thirty and forty degrees Celsius, to name a few. While all of these capacities are part of the

¹¹ Skidmore does not argue for the truth of this statement. I disagree with him on this point.

infrastructure of autonomy in human beings, no one could claim that all of them deserve moral consideration where they are found. Thus, the fact that animals possess certain capacities, such as preference autonomy, that are necessary conditions for autonomy does not show that the animals deserve moral consideration for it is clearly possible to respect autonomous nature ... without respecting each of its necessary conditions where it is found.” [Skidmore, pg. 546].

While I agree with Skidmore’s general idea, I think his objection needs a bit more development and tweaking. Developing this constitutes my second objection. Kant’s theory is *a priori* and must hold in all possible worlds. So, the necessary conditions for humans to be autonomous are not always the same as the necessary conditions for autonomy itself. For example, there is a possible world in which autonomous extraterrestrial aliens exist; such beings may not need to maintain a body temperature between thirty and forty degrees Celsius. The similarity between Skidmore’s and my first objection is that we agree on this: it is not clear why respect for the dignity of rational autonomy entails respect for any being possessing some of its necessary conditions.

Further developing Skidmore’s objection requires going into more depth on the distinction between the necessary conditions for humans to be autonomous and the necessary conditions for autonomy itself; moreover, my development of Skidmore’s objection considers if preference autonomy falls into the former or latter category. In my following second objection, I use a thought experiment to show that preference autonomy falls into the former category and is simply a necessary condition for humans to be autonomous.

Humans are not meant to be the only beings who can be autonomous. The necessary conditions for autonomy itself are those which any being that exists must meet to be rationally autonomous, regardless of that being’s particular physiological or psychological makeup.

Necessary conditions for humans to be autonomous will contain all of the conditions for autonomy itself along with other conditions. These other conditions come from the particular nature of humans and our unique physiology and psychology. For example, in order to be rationally autonomous, humans must exist. Without the aid of an expensive medical device, lungs are needed for humans to exist. This makes lungs necessary for humans to be rationally autonomous. Naturally, there could be aliens from a distant planet who do not need lungs to exist. Lungs are, thus, not a necessary condition for autonomy itself, but they are a necessary condition for humans to be autonomous. Understanding the categorical imperative, however, is a necessary condition for any being to be autonomous and is a necessary condition for autonomy itself. This raises the current -aforementioned- question. Is preference autonomy only a necessary condition for humans to be autonomous, or is preference autonomy a necessary condition for autonomy itself? I do not believe that Kant directly considers this question, and Wood needs preference autonomy to be a necessary part of autonomy itself for his theory to have an application to animals. A thought experiment may show that preference autonomy is not a necessary part of autonomy itself, but it is instead merely a necessary condition for humans to use the categorical imperative and, accordingly, be autonomous.

Here is such a thought experiment. Let us suppose that in a galaxy far away there are aliens. These aliens have no inclinations for any incentives and have no preference autonomy. Being rational, the aliens act solely from the motive to follow the categorical imperative. At first glance, it does not look possible for such aliens to exist. The categorical imperative requires inclinations (from preference autonomy) for an agent to make a choice about what to do. For example, the categorical imperative motivates individuals to get a job within their society. However, which job an individual should get is not determined by the categorical imperative.

Individuals may obtain any legal job they are inclined to. Since the theoretical aliens in question have no inclinations, they would not be able to come to a decision about which job to get, even though they are motivated to get a job. In light of this, it appears there can be no being who is rationally autonomous and does not have preference autonomy, thus making preference autonomy be a necessary part of rational autonomy itself. However, this conclusion does not follow. In place of the inclinations that the aliens are missing (due to the lack of preference autonomy), they could use random assignment instead. This random assignment could be achieved via special compartments in the alien's skulls, which contain many sided dice. Whenever an alien needs to make a choice, the morally permissible choices are assigned a number based on the order in which that choice was thought of, and the alien shakes his head to roll a number with the dice in his skull. The number rolled can correspond to the choice to be made. *Ergo*, it is possible for rationally autonomous beings to exist who do not have preference autonomy. This makes preference autonomy a necessary condition for humans to be autonomous and not a necessary condition for rational autonomy itself. It is, thus, irrelevant to rational autonomy itself that animals have preference autonomy. I do not see a good reason to have direct duties to any being that possess a necessary condition for humans to be autonomous when that condition is not necessary for autonomy itself. Wood needs such a good reason for his thesis to work.

It will be important for section 7 to now note an additional feature of these aliens. Insofar as virtues are inclinations to act rightly, and these aliens have no inclinations; it follows that these aliens can be neither virtuous nor not virtuous. A conceptual mistake would be made in predicating the concept of virtue or vice to these aliens at all. Denying the law of excluded middle in this way can appear to be counterintuitive. One may object, "How can anything be

neither virtuous nor not virtuous (i.e. vicious)? If something is not virtuous, then it is vicious. Just as something that is not sad, must be happy.” While I sympathize with people who may see such an objection, I ask such people to consider a rock. Everyone will agree that a rock is not sad, but it does not follow from this that a rock is happy. The concept of sadness/happiness does not apply to rocks. For, rocks cannot have emotions/inclinations predicated to them. Rocks are neither happy nor not happy (i.e. sad); analogously, our aliens are neither virtuous nor not virtuous. This is because our aliens do not have emotions and do not have inclinations. Just as a rock has neither emotions nor inclinations.

Section 3: Korsgaard

There is another major attempt to justify direct duties to animals within Kant’s system, due to Christine Korsgaard. I turn to that now. To allow Kant’s theory to yield direct duties to animals, Korsgaard does not change Kant’s theory as Wood does. Instead, she adds to it. Kant says we are ends only because we are autonomous [CPR: Bk1, Ch1, VIII. Theorem IV].

Korsgaard says we are ends in the sense that we are autonomous, and we are ends in the sense that we have animal nature [Korsgaard, pg. 95]. In this context, animal nature applies to a being acting from inclination, whether or not that being has a will. It is very similar to preference autonomy or heteronomy. The only difference is that animal nature applies to both animals and humans. When animal nature is applied to animals, it is preference autonomy. If animal nature is applied to humans, it could be heteronomy if the action done from animal nature was not also motivated by duty. Although, in other contexts, Kant may use ‘animal nature’ to refer to an anatomical body and its needs. According to Korsgaard, animals have animal nature; thus, animals are ends. We have direct duties to them.

New terminology is needed to distinguish between the two types of ends. ‘Autonomous-end’ refers to a being possessing autonomy. ‘Animal-end’ refers to a being that has animal nature. Korsgaard wants to use the humanity formulation of the categorical imperative for animal-ends. However, the categorical imperative is designed for use with autonomous-ends, not animal-ends. Another problem, for Korsgaard, is that the form of universal law is part of what justifies the humanity formula, and the form of universal law does not apply to animals. To fix this problem, Korsgaard uses animal nature to give a justification for the humanity formula. In order for this to still be a Kantian moral theory -as Korsgaard intends it to be- Korsgaard uses a passage (which I present later) from Kant to support her justification.

Incentives need to be the start of Korsgaard’s argument. For, she is taking animal nature to be a source of our inherent worth, and incentives are part of animal nature. In conjunction with incentives, actions require a principle. The principle determines how an agent will go about obtaining an incentive [Korsgaard, pg. 83]. Objects matter to us; we have inclinations. Inclinations are always sensed and our knowledge of them is *a posteriori*¹²; e.g., the inclination (or desire) for an incentive, which may be an object, such as coffee. Incentives are subjective ends, a means of satisfying our inclinations. Coffee beans are a means for obtaining the subjective end of coffee. Coffee is a means for fulfilling my inclination to not be grumpy. In this way, objects are not good on their own. Objects are good in relation to being incentives which satisfy our inclinations.

Hence, we do not have inclinations toward objects because they are valuable. Objects are valuable, for they are our incentives. Our inclination toward an object - making the object an

¹² Inclinations are in stark contrast to motives. Motives are *a priori* drives to uphold duty.

incentive- confers value upon it. Therefore, according to Korsgaard, we accord a kind of value to ourselves as animal- ends. We must have value, because we decide things are valuable to us [Korsgaard, pg. 93]. To illustrate, I have decided that coffee is good; for I am inclined to coffee. I am, consequently, good. Of course, a subjective end (e.g., coffee) is not -in itself- a normative good (i.e., objective end). However, it becomes a normative good when we confer normative value upon it by valuing ourselves as ends [Korsgaard, pg. 104]. With incentives establishing our status as animal-ends, animal nature has been used to ground the humanity formula. Animals are now under the humanity formula's protection on Korsgaard's theory. For, animals have animal nature.

The value theory Korsgaard is working with is Kantian. In an attempt to show that her animal-end conception of the humanity formula is truly an extension of Kant's normative work, Korsgaard interprets a passage from Kant:

The ground of this principle [the Formula of Humanity] is: rational nature exists as an end in itself. The human being necessarily represents his own existence in this way: so far it is ... a subjective principle of human actions. But every other rational being ... represents his existence in this way ... on ... the same rational ground that also holds ... for me; thus it is at the same time an objective principle [autonomy]... [G, 4:428-29]

Korsgaard interprets the conception of ourselves as ends to be a "subjective principle of human action" to mean, "...that we human beings regard ourselves as capable of conferring value on the objects of our choices. That is, we take our choices to be the source of legitimate normative claims." [Korsgaard, pg. 92-93]. Insofar as choices are grounded upon incentives, and insofar as the humanity formula is grounded upon incentives, Korsgaard's theory is Kantian.

My objection is that choices grounded upon incentives are heteronomous¹³, not autonomous. Only choices grounded on motives are the source of legitimate Kantian moral claims. This is how Kant distinguishes his moral theory from all other moral theories: “I want, therefore, to call my principle the principle of autonomy of the will, in contrast with every other principle, which I accordingly count under heteronomy.” [G, 433]

That is the main reason why Korsgaard’s interpretation of Kant’s passage at G 4:428-429 cannot be right. Her theory of grounding the humanity formula on animal-ends is not an extension of Kant’s theory, nor is it part of Kant’s theory. I interpret the passage differently. The passage was written with autonomous-ends in mind and not animal-ends. When Kant says “rational nature exists as an end in its self”, he means that autonomous nature exists as an end: “The human being necessarily represents his own existence in this way” [G, 4: 428-29].

Now, how do we interpret the next line: “So far it is ... a subjective principle of human actions.”? Answering this question depends on what the word ‘subjective’ means. Korsgaard needs ‘subjective’ to mean, “An action provoked by inclination.” Kant does sometimes use the word ‘subjective’ to refer to an action provoked by inclination¹⁴, but such subjectivity cannot be universal [HDK, pg. 198]. Something is objective if it is necessary and universal; i.e., valid for the will of every rational being [CPR: Chapter 1, Book 1, I. Definition] and hence known *a priori*. Thus, interpreting the word ‘subjective’ in the way Korsgaard requires does not make sense of the last line in the cited passage: “...it is at the same time an objective principle.” To make sense of this, we must appeal to Kant’s technical sense of the concept of “subjective” used

¹³ I am not alone in thinking Korsgaard’s theory leads to heteronomy. Timmerman shares my concern on page 136 in “When the Tail Wags the Dog: Animal Welfare and Indirect duty in Kantian Ethics.”

¹⁴ As is the case with Kant’s use of “subjective end”.

in his critical philosophy¹⁵. There, the objective is grounded in the subjective. The objective principle is valid necessarily and universally for all autonomous subjects. At the same time, this “objective” is based on every individual’s subjective conception of the fact of reason. The categorical imperative presents itself to the individual as a fact of reason [CPR: Book 1, Chapter1, VII. Fundamental law of the Pure Practical Reason]. An individual subjectively recognizes that he can do something. For he sees that he objectively ought to do something. In an important sense, therefore, this “subjective” also has to do with universality and necessity¹⁶. I elaborate more on this in what follows. It takes time to explain.

Evidence supporting my interpretation of the aforementioned passage (at [G 4: 428-29]) comes from book 1, chapter 3, of *The Critique of Practical Reason*: “While the moral law, therefore, is a formal determining principle of action by practical pure [i.e. *a priori*] reason, and is moreover ... [an] objective determining principle of the objects of actions as called good and evil, it is also a subjective determining principle, that is, a motive to this action, inasmuch as it has influence on the morality of the subject [i.e., a particular person] ... There is here no antecedent feeling tending to morality. For this is impossible, since every feeling [i.e., inclination] is sensible [i.e. *a posteriori*], and the motive of moral intention must be free from all sensible conditions. ... Thus respect for the law is... morality itself subjectively considered as a motive.” What this means is that because there is no antecedent feeling- or inclination- to morality, the line “So far it [morality] is ... a subjective principle of human actions.” [G4: 428-

¹⁵ Kant’s “critical philosophy” refers to his work: *The Critique of Pure Reason*; whereas, “practical philosophy” refers to academic ethics generally. *The Critique of Practical Reason* is Kant’s work on meta-ethics and normative ethics. In paragraph 15 of the preface of *The Critique of Practical reason*, Kant says that his practical work is grounded in his critical work. Hence, I am justified in referring to Kant’s critical conception of “subjective” to support my interpretation of Kant’s practical work.

¹⁶ This objective/subjective distinction was influenced from page 198 of *The Historical Dictionary of Kant and Kantianism*, and it cites *The Critique of Pure Reason* as a reference. However, the Kant dictionary only applied to Kant’s critical philosophy. I changed the dictionary’s definition to fit the context of Kant’s practical philosophy.

29] cannot –as Korsgaard suggests- have anything to do with conferring normative value on objects (i.e., incentives or subjective ends) simply because we are inclined to them. When Kant calls “morality” a subjective determining principle, I think he is referring to the particular ways individual people come to see the motive of duty; at the same time, this subjective principle also applies to everyone universally with necessity: objective. Therefore, the moral law is –in a special sense- both subjective and objective.

The moral law is subjective in that individuals create their own maxims and test those maxims against the categorical imperative on their own: “... man is subject only to his own, yet universal, legislation and that he is bound only to act in accordance with his own will...” [G, 432]. Upon testing a maxim, the categorical imperative’s answer creates a law producing a motive- within the subject- to act upon or reject the maxim in question. This motive is a special type of feeling known *a priori*: moral feeling. “This [moral feeling] is the susceptibility to feel pleasure or displeasure merely from being aware that our actions are consistent with or contrary to the law of duty.” [MM, 6:399]. Moral feeling is conducive to the influence of the law on the will: “This feeling (which we call moral feeling) is therefore produced simply by reason.... [It serves as] a motive to make this of itself a maxim.” [CPR: Bk 1, Ch 3]; moreover, “It is inappropriate to call this feeling a moral sense, for by the word “sense” is usually understood a theoretical capacity for perception directed toward an object [i.e., inclination for an incentive], whereas moral feeling is something merely subjective¹⁷.” [MM 6:400]. To illustrate, let us say a sovereign commands a person to bear false witness against an honorable man, and the sentence

¹⁷ Here Kant is literally denying Korsgaard’s interpretation of his passage at G 4:428-29. Kant is saying that what is subjective about morality is moral sense, and moral sense has nothing to do with inclinations (i.e. animal nature). Therefore, what is subjective about morality is not our animal nature or - as Korsgaard says, “conferring normative value on the objects of our choices.”

for not obeying the sovereign is death [CPR, Bk 1, Ch 1, VI. Problem II]. This person will no doubt be inclined to obey; however, we must admit that our person in question will subjectively see an objective duty to not bear false witness. The sight of duty will produce moral feeling: motivation. Such motives may not always override our inclinations, additionally the motive to duty is stronger in some than in others. Along with the various ways we come to our motives, that is the moral law's subjectivity. Thus, Korsgaard's interpretation of what it means for Kantian ethics to be subjective goes against –or has nothing to do with- what Kant said about ethics being subjective. I do not see any evidence within Kant's system to support Korsgaard's claim. The claim that ethics being subjective has to do with conferring normative value on objects we are inclined to.

My interpretation and objection to Korsgaard has been very technical. In common language, she is arguing that we value more than our autonomy. Since we value our animal nature, we must be valuable ourselves. Animals have animal nature. Thus, animals must be valuable. The problem with this is that it does not fit with Kant's moral theory. Korsgaard is conflating Kant's moral value theory with Kant's non-moral value theory¹⁸. Coffee is not normatively good, because I am inclined to it. I am inclined to coffee; hence, coffee is good for my welfare. Having a high level of welfare is directly applicable to one's condition, not to what is good nor evil [CPR: Bk 1, Ch 2]. Although, that which is good for my welfare may be a means for helping me be a kinder person. Being a kind person is normatively good only as a means to promoting autonomy; provided that, kindness is helping one act autonomously. In this way, coffee can be indirectly a normative good. Kant says, "... an object of something... that pleases

¹⁸ Moral value: that which is valued for the sake of fulfilling the law of moral obligation. Non-moral value: that which is valued for the sake of one's own welfare.

or displeases, and the maxim of reason that we should pursue the former and avoid the latter determines our actions as good relatively to our inclination, that is, good indirectly, i.e., relatively to a different end to which they are a means, and in that case these maxims can never be called laws... the pleasure that we seek is ... not a good but a welfare; not a concept of reason, but an empirical concept of an object of sensation.” [CPR: Bk 1, Ch 2]. Promoting one’s own welfare is indirectly a duty, for “Adversity, pain, and want are great temptations to violate one’s duty. ... To seek prosperity for its own sake is not directly a duty, but indirectly it can well be a duty, that of warding off poverty insofar as this is a great temptation to vice. But then it is not my happiness but the preservation of my moral integrity [i.e., character] that is my ... duty.” [MM, 6:388]

As a Kantian, I do not morally value all of my animal nature. Some of my animal nature may incline me to vices: arrogance, defamation, or ridicule. Actions resulting from such inclinations contradict the moral law within me. I cannot act upon such inclinations without infringing upon my dignity as a moral legislator, on pain of contradiction. Of necessity, I value my dignity as a moral legislator, and it would be irrational for me to engage in volition contrary to the law. This irrationality could only be caused by overwhelming inclinations. Inclinations which would use me like a puppet. To act freely is to act morally, independently of inclination [CPR, Bk 1, Ch 3]. Granted, parts of animal nature are quite conducive to our moral wellbeing¹⁹. I can, therefore, only value my animal nature as a means for aiding autonomous volition. Animals have animal nature. They are a wonderful means of practicing the virtues of sympathy, kindness, and gratitude.

¹⁹ This is provided that we do not act solely out of such inclinations but also from the motive of duty

Korsgaard responds to the charge that animal nature may incline us to vices by appealing to Kant's form of universal law. The thought is that when our animal nature inclines us to vices, we should not give in to vice because the form of universal law tells us that our animal nature should not be followed in this case. Here is the passage she writes to appeal to the form of universal law as a response to the charge: "When you experience, say, a desire [inclination] to do act-A for the sake of end-E, you can ask yourself whether you should do that... that amounts to asking the question of the categorical imperative – whether the maxim 'I will do act-A for the sake of end-E' can function as a universal law. Now suppose that the maxim in question fails the universal law test – you cannot will your maxim as law. You are now 'willing a law' for you now lay it down as a universal law that one must not do act-A for the sake of end-E, and you are acting autonomously when you conform yourself to that law by refraining from action."

[Korsgaard, pg. 94]

It can be seen that Korsgaard appeals to Kant's autonomous-end account (given by the universal law formula) of the categorical imperative to answer that charge. This answer does not work. Korsgaard's theory is not an extension of Kant's normative theory, as she wants it to be. She cannot appeal to it in answering an objection to her own theory. If Korsgaard's theory is true, and if animal nature is normatively good because we are inclined to it, then whatever our animal nature inclines us to must be normatively good. Animal nature inclines us to evil, sometimes. Therefore, Korsgaard's theory is not true. As Kant says, "...heteronomy of the elective will not only cannot be the basis of any obligation, but is, on the contrary, opposed to the principle thereof and to the morality of the will. ... The autonomy of the will is the sole principle of all moral laws and of all duties which conform to them." [CPR: Bk 1, Ch 1, VIII. Theorem IV]; moreover, "...we find that our nature as sensible beings is such that the matter of desire

(objects of inclination...) ... is in its maxims quite unfit for universal legislation..." [CPR: Bk 1, Ch 3]

Timmerman sums up my objection to Korsgaard quite well: "I do not think her conclusions are acceptable from a broadly Kantian point of view. Quite apart from the fact that if this is how animals and human beings obligate us, ethics would, in Kantian terms, be as heteronomous as divine voluntarism or old-fashioned moral realism, there are grave theoretical problems facing anyone who, like Korsgaard, wishes to ground direct Kantian duties to animals. For a start, animals are not free, they are not subject to the moral law, and are not therefore autonomous agents. They cannot revise the principles of their behavior in the light of constraints set by pure practical reason. Their doings are therefore governed exclusively by the laws of cause and effect, and the moral law does not apply to them." [Timmermann, pg. 137].

In sum, it is shown that Korsgaard's normative theory -regarding direct duties to animals- is not Kantian even though she is using Kant's value theory. For she is conflating Kant's moral value theory with Kant's non-moral value theory. Incentives, such as coffee, may be good because I am inclined to them. However, this is merely a prudential good pertaining to my own happiness. It is not a normative good. Being happy is quite different from being good. The objects of inclinations may make one happy, but they do not all make one good (i.e., autonomous). Only the objects of inclination which aid autonomy can be considered as relevant to the normative good we are discussing. I am denying Korsgaard's premise that non-normative goods (i.e. subjective ends) become normative goods (i.e., objective ends) when we value them, because we value ourselves as normative goods [Korsgaard, pg. 104]. To value one's self as an end is to value one's self as autonomous. So, only an incentive which aids autonomy can be

considered as indirectly normatively relevant. Our treatment of animals, therefore, is morally relevant only insofar as that treatment effects our character and influences our autonomy.

Section 4: Denis

Lara Denis gives a conservative interpretation of Kant's indirect duty account of our obligations regarding animals. She neither changes nor adds to Kant's theory. Her aim is to demonstrate that Kant's views about animals are more substantive than philosophers often acknowledge, by adhering to his basic elements. Indirect duties regarding animals are genuine duties. These indirect duties are grounded on certain analogies between human and non-human actions, or emotions: love, sympathy, gratitude, malice, and etcetera. I endorse the interpretation of Kant that Denis gives and use it to support my own thesis.

Denis begins by talking about our emotions. Emotions fall within the category of inclinations. Some emotions have a tendency to incline people to act rightly, even though the motive of duty may be insufficient by itself. In this way, some inclinations may play a supporting role in, conjunction with motives, to yield autonomous action. Sympathy -as an example- cannot only make helping others easier, but it can also guide one to the best means of helping others. This moral usefulness of an emotion, like sympathy, qualifies as part of what Kant calls, "the perfection of our nature." [Denis, pg. 406-407]. I add, the perfection being referred to is the perfection of our character. It is generally thought that acting on an emotion develops a character trait corresponding to that emotion. This makes character traits tendencies to act in certain ways. Virtues are character traits which tend support our motive to act rightly, and vices are character traits that tend to inhibit our motive to fulfil our duty. An example of the former is sympathy; malice is an instance of the latter [Denis, pg.409]. "Virtue is, therefore, the moral strength of a human being's will in fulfilling his duty." [MM, 6:405], and it is "...a duty of virtue to master

one's inclinations when they rebel against the law..." [MM, 6:383]; additionally, I may add to this: it is a duty of virtue to master one's inclinations so they coincide with the law.

At this point, the reader may think there is an inconsistency within this work. I said earlier that good action must be done from a motive and not from inclinations. Now I am saying that we must foster our inclinations to help us act in accordance with duty. There is, however, no inconsistency here, because motives and inclinations are not mutually exclusive. It is possible to act from both motives and inclinations at once. I think we most often do, in fact. Actions done only from inclinations -without motives- are the actions lacking moral worth. While it is possible to act solely from a motive even though all of one's inclinations may oppose duty, doing so is truly an exhausting effort and can only be done sparingly. To always act only from motives (without the aid of virtuous inclinations) would put too much psychological stress on a human. Such stress would inevitably lead to a mental breakdown. Hence, while it is logically possible for a human to always act from motives and never foster virtuous inclinations²⁰, it is not physically possible based on the actual psychology we have developed. We humans, therefore, have a duty to promote inclinations that encourage us to follow the moral law, even though those inclinations are not necessarily a part of rational autonomy itself. However, the aliens I discuss in section 2 do not share this duty with us humans. As can be seen in what follows, the virtues can be practiced on both animals and humans.

Certain analogies hold between human behavior and animal behavior [Denis, pg.407]. We are not the only beings that can act lovingly or sympathetically. Many animals can do so as well. Of course, animals can only do so from inclination; humans can do so from the motive of

²⁰ A logically possible being who always acts from motives but has only vicious inclinations would be morally good; however, such a being would not be virtuous.

duty and from inclination. Animals can, hence, perform actions which are in accordance with duty, but have no moral worth. Since it is nearly impossible for people to know when other people are acting from motives or simply from inclination, the difference between an animal acting virtuously and a person acting virtuously can be imperceptible without serious philosophical reflection. This imperceptibility creates an analogy between human and animal action. These actions are morally analogous -but not equivalent- to our own: *analogon moralitatis* [Anthropology, Kain pg. 12-14]. Do this analogy, there should be no difference between acting virtuously to animals and doing so to humans in terms of the emotional effect it has on our character. Acting virtuously toward animals will, thus, increase our virtue. Since virtue is needed to make fulfilling our duty easier, we have a duty to increase our virtue. One who comes across an animal and does not treat it virtuously will lower his virtue. One who treats a seen animal virtuously will raise his virtue. We ought to act towards animals out of emotions that will incline us to virtue and away from vice. For, that is how we can fulfill our duty of virtue to the self. Fulfilling the duty of virtue is also a duty to others. Having virtue improves our moral treatment of other humans.

One may wonder if the *analogon moralitatis* can extend to inanimate objects as well as to animals. The answer is, “no.” We can act lovingly to a dog, because a dog can act lovingly to us. It would be absurd to suggest that we could act lovingly to a rock and that a rock could love us in return. Breaking rocks with a hammer for fun is a morally permissible hobby, for this reason; whereas, breaking dogs with a hammer for fun is not a morally permissible hobby. However, when it comes to inanimate objects of aesthetic value (e.g. art or crystals), those objects can be used to practice valuing something apart from the intention to use it. This practice can lead to an

increased ability to value people apart from the intention to use them [MM, 6:443] I do not, although, see valuing aesthetic objects as related to the *analogon moralitatis*.

The *analogon moralitatis* can further explain the common-sense notion that beings with little capacity for emotions or intellect -such as insects- are not worth much moral concern. Insects cannot analogously act with virtue to humans. It is, thus, impossible for us to act virtuously or viciously to beings like insects. Just try to imagine a person acting lovingly to an ant. Even if a person did his best to act lovingly to an ant, the ant would have no idea what is going on and so could not accept the love in a way that more sophisticated animals can. Consequently, I see no significant emotional effect (on a human's character) from boiling ants alive in melted chocolate and eating them. Roasting a pig alive, however, would have a significant negative effect on a human's moral character. One who could needlessly roast a pig alive would be also signaling to others the state of his emotional character. In this way, a human's treatment of an animal can be used as a diagnostic for the state of that human's moral character.

Naturally, the *analogon moralitatis* Kantian justification for our duties regarding animals is based on empirical matters about how our psychology actually is²¹. For this reason, Wood's previously interpreted quirk of human psychology objection is, *prima facie*, serious. Recall that the quirk of human psychology objection is as follows: if our psychology developed differently so that treating animals viciously made us more virtuous to humans, then it follows that humans would be obligated to be vicious to animals; this goes against common sense. Moreover, this

²¹This is in the sense that our psychology is set up to give us virtue or vice.

objection might also extend to rationally autonomous aliens who have a different psychological make up than we do. I reply to this objection in section 7.

It may be further objected that because these duties -based on human character- are dependent upon empirical considerations of our particular psychology, and because Kantian duties apply to all rational beings, the duties cannot (one might argue) be grounded in facts about human nature. For duties grounded in facts about human nature would only pertain to humans and not be genuine Kantian moral duties. Kantian moral duties must be grounded in facts about pure reason alone; so that, their application is to all rational beings. While such an objection is true in part, Dennis argues that it fundamentally misunderstands Kant's moral theory. The supreme moral principle is grounded in reason and not in any feature particular to human beings. Although, Kant is explicit in saying the duties this principle dictates for humans are determined in part by human's physical and psychological natures [Dennis, pg. 408].

Another objection Dennis considers is that animals are just one possible way to fulfill our duty of virtue. A person could possibly go an entire life by improving his virtue solely on people. In this way, he never has to be kind to a single animal [Dennis, pg. 410]. Such a possibility makes the duty to treat animals in a virtuous manner seem optional. Duties are not supposed to be optional. This calls into question whether Kantian duties regarding animals are genuine duties. Dennis responds, "A good person might end her life never having helped an animal; but a good person cannot adopt a policy of ignoring animal suffering" [Dennis, pg. 411]. It is possible for a good person to never help an animal, but this is only in the sense that it is possible for a good person to never encounter an animal which needs help. In this way, fulfilling the duty to help animals is only optional for one reason: finding an animal which needs help is simply a possible option of all the things that could happen. The duty is not optional in the sense that one can

arbitrarily decide to fulfill it or not. If one were to encounter a suffering animal and not help it, he would be practicing the vice of callousness. There is a necessity for him to practice sympathy toward the animal to improve his virtue only if there is an animal in need of sympathy.

I would like to further note that there may be reasonably virtuous people who do not treat animals kindly. Perhaps some of these people work in a factory farm or cruelly train elephants in the circus. It is possible for such people to exist, because the amount of virtue they practice on humans must be outweighed by the amount of vice they practice on animals. Nevertheless, I maintain that such people would be more virtuous if they did not practice vice on animals at all. As I argue in the next section, we ought not aim to be a little virtuous. Perfect virtue ought to be our aim in life.

Section 5: Justification for our duty of perfection

It has so far been shown that treating animals well is needed for humans to improve their virtue, and that virtue makes fulfilling our moral duties easier. However, moral duties are to be deduced from the categorical imperative; I have not yet shown how Kant uses the categorical imperative to yield the duty to perfect our moral character. This section is dedicated to fulfilling that task.

As for why we have a duty to perfect our moral character, this duty follows from our duty to cultivate our natural powers in general. If we have a duty to perfect our natural powers, and if our moral character is one of our natural powers, then we have a duty to perfect our moral character. It should be clarified that since we are finite beings, perfecting ourselves is impossible. Accordingly, our duty to perfection is merely a duty to strive for perfection but not obtain it. Fulfilling this duty consists in continual progress toward perfection [MM, 6:446-6:447].

A human being has a duty to himself to cultivate his natural powers (powers of spirit, mind, and body), as means to all sorts of possible ends. – He owes it to himself (as a rational being) not to leave idle and, as it were, rusting away the natural predispositions and capacities that his reason can someday use. [MM, 6:444-6:445]

... as having to do with one's entire moral end, such perfection consists objectively in fulfilling all one's duties and in attaining completely one's moral end with regard to oneself. Here the command is "be perfect." ... "If there be any virtue, and if there be any praise, strive for it." [MM, 6:446]

Kant's main argument for a duty to perfect our natural powers is derived from the universal law formulation of the categorical imperative. Here is that derivation. It is possible that everyone could let their natural powers fade away from neglect, and we could all live in relative idleness. What is not possible, is for anyone to will such a world to exist with that natural law. Nature gave us our powers for all sorts of possible ends. Whoever wills an end, must –on pain of irrationality- will the means to that end. Insofar as we will the ends that nature has made possible for us to obtain, we necessarily must will the means to obtaining those ends. The means in question here are our natural powers, and their improvement over time. Therefore, by the formula of universal law, there is a moral duty for us to perfect our natural powers [G, 423]. Do not think this argument concludes that everything useful as a means generates an obligation to develop that means. We are only obligated to develop the means for ends we wish to achieve or for ends we are obligated to achieve.

The natural powers are the powers of spirit, soul, and body. Powers of spirit are those whose exercise is possible only through reason; e.g., logic, mathematics, and science. Powers of soul are powers of learning based on experience; e.g., memory, imagination, and so forth. Powers of body are those of the anatomical and physiological body; these powers make obtaining all ends possible, since one can't do anything without a body [MM, 6:444-6:446]. I

take it that developing our virtue requires developing parts of all three of our natural powers. For instance, some logical skill (a power of spirit) is needed to use the categorical imperative. This logical skill must be accompanied by imagination and sharpened by experience: power of soul. Moreover, having a limited body would limit the amount of moral duties one could fulfill: power of body.

Analogously, it is logically possible for everyone to neglect the perfection of their virtuous emotions or inclinations. People could still fulfill their duty via sheer strength of will, without the aid of emotions that incline them to act rightly; that is, until people have a mental breakdown from stress. Nature, however, has given us morally useful emotions for the purpose of making the fulfillment of duty easier. Duty can be better fulfilled when it is easier. Since we will the end of fulfilling our duty, and because virtuous emotions can be a means for helping us fulfill our duty, we must perfect our virtuous emotions.

The foregoing, if correct, demonstrates that the categorical imperative entails a duty to perfect one's virtues. Explaining how animals fit in to that picture needs to be addressed next.

Section 6: My interpretation of Kant's duties regarding animals

Autonomy aside, there is no difference between acting virtuously to a human and an animal. A special set of virtues which must be applied to humans but not animals, does not exist in Kant's normative scheme. One can act virtuously or viciously to humans and animals alike, and animals can be the proper objects of virtuous behavior. This raises the question of precisely how we can use animals to practice which of the virtues. In this endeavor, we must understand exactly how Kant conceives of different virtues. For Kant, virtues fall into the division of duties of love: beneficence, gratitude and sympathy. The vices of hatred are directly opposed to the

virtues of love. Vices of hatred are as follows: envy, ingratitude, and malice. Our actions toward animals can fall into any of the aforementioned categories of love or hatred. A more specific understanding of how a Kantian ought to treat animals is needed. I will explain the virtues/vices of love/hatred. Then, I will present their application to animals. By doing so, we will have a better understanding of how Kantians ought to be treating animals.

Here is how Kant defines beneficence: "...beneficence is the maxim of making others' happiness one's end, and the duty to it consists in the subjects being constrained by his reason to adopt this maxim as a universal law." [MM, 6:453]. According to Kant, as a finite being I necessarily have the matter of my maxim be my own happiness. Here is what I think Kant means by this: because our desires may be infinite, and because we are finite, we cannot fulfill all of our desires, and consequently we seek to become happy by creating our maxims. My maxim can yield the categorical force of universal law only when the happiness of others is included. For Kant, the law that I ought to promote the happiness of others arises from the form of universality. The form of universality gives to my maxim the objective validity of law as a principle which determines my will. It is not the object (i.e., happiness of others) that determines my will, but it is the form of law only. So, my reason has given rise to the obligation of promoting the happiness of others [CPR: Bk 1, Ch 1, VIII. Theorem IV]. In laymen's terms, it is not permissible for me to only look after my own happiness. While it is certainly possible for all people to never look after the happiness of others, a will with this maxim would contradict itself as soon as circumstances arise in which that will needs the assistance of others [G, 423]. There is, moreover, no universality in promoting the happiness of others and not my own happiness [MM, 6:450-6:451]. Hence, I must look after my own happiness and the happiness of others, in order to fulfil the obligation required by reason.

Animals, naturally, cannot directly be included as a part of the “others” in the above argument. They are not rational agents. However, no one would deny me that my dog is made happy when I play with him. I can surely act beneficently to my dog in this sense. We strengthen our virtue of beneficence by practicing that virtue, and so our beneficence is increased by being beneficent to both humans and animals. Moreover, we have a duty of increasing our virtue to perfect our moral character [MM, 6:446-6:447]. It is, hence, our duty to be beneficent to both humans and animals when we come into contact with them. If a person were to come into contact with an animal and not practice virtue toward it, that person would be practicing some vice toward the animal and make himself more vicious.

Gratitude follows from beneficence. When one acts beneficently to a person, that person has a duty to show gratitude in response. Showing gratitude encourages people to further practice beneficence. So, neglecting to show gratitude can “destroy the moral incentive to beneficence in its very principle.” [MM, 6:455]. There are countless examples of animals expressing beneficence to humans. A pet will often notice when its master is sad and sympathetically try to comfort its master. The pet’s master has a duty to express gratitude to his/her pet for this beneficence. Neglecting to express gratitude is how one practices the vice of ingratitude, imperfecting one’s moral character. Naturally, we can only show gratitude to beings who have been beneficent to us. I don’t understand how I could show gratitude to a being which harmed me. In order to do so, I would need to want to be harmed and not benefited. As a rational being, that is not a state I could find myself in.

Sympathy is a sensible feeling of pleasure or displeasure in another’s state of joy or pain, respectively [MM, 6:456]. Expressing your sympathy to others is a way of practicing beneficence to them. Since we have the capacity to choose to share in the feeling of others, we

have an obligation to do so when it is beneficent [MM, 6:456]. Just as animals can act sympathetically to us, we can also act sympathetically to them. Accidents happen around our pets. It is important to sympathetically comfort them immediately. Clearly, the vice of malice will be strengthened without practicing a sympathetic reaction to animals. This would terribly blemish one's moral character. One might wonder why we cannot develop perfect sympathy for humans while not feeling sympathy for animals. To eliminate this wonder, recall that we can never obtain perfection because we are finite beings. The best we can do is a continual progress toward perfection. Not feeling sympathy for animals impedes that progress. One can act virtuously to humans and viciously to animals; however, this person's overall virtue will be less perfect than it would be if he had acted virtuously to both humans and animals. Obtaining the highest level of perfection in virtue is what I have argued to be a moral duty.

For Kant, "Envy is a propensity to view the well-being of others with distress, even though it does not detract from one's own. When it breaks forth into action (to diminish their well-being) it is called envy proper; otherwise it is merely jealousy." [MM. 6:458]. A poor man may be envious of a rich man and wrongfully steal from the rich man. The problem here is that the poor thief may not want his well-being overshadowed by another's. The standard of the poor thief is not his intrinsic worth, but instead it is how his well-being compares with other's well-being. Obviously, the standard for humans to live up to ought to be our intrinsic value as rationally autonomous agents, not having a high level of well-being. Being happy and being good are two distinct states after all. Analogous to our poor thief example, a man who wishes to fly may envy a bird and remove the bird's wings. Such an act would be practicing the vice of envy. Even though one has not interacted with a human.

The vice of ingratitude can result from hate or simply unappreciativeness [MM, 6:459]. Most of our ingratitude with animals may come from the latter. Factory farming shows much ingratitude to the sacrifice animals go through, so that we may eat. More traditional farming methods, however, may give animals a more pleasant life; until, they have reached maturity and are ready to be eaten. Traditional farming methods, thus, may demonstrate a level of gratitude to an animal's sacrifice that factory farming does not demonstrate. It is an interesting question as to whether or not factory farming can increase the vice of ingratitude at the societal level. However, that question is beyond the scope of my present concern.

Malice is a vice which is the direct opposite of sympathy [MM, 6:459-6:460]. A man acts with malice when he feels pain at another's joy or finds pleasure in another's sorrow. Some people have been known to take pleasure in causing animals pain. How many of these malicious individuals would do the same to humans if it were legally easier to get away with? This question falls into the discipline of moral psychology; for, it may require a degree of empirical evidence to answer. Such empirical evidence is beyond the expertise of a normative philosopher to gather. What is beyond question is that humans can act maliciously toward animals as well as to humans. Such malicious acts will degrade one's moral character and violate the duty to one's self to perfect his moral character.

To sum up this section, certain treatment of animals is required to aid our progress toward moral perfection. The crucial point to consider though, is the claim that one can be virtuous to humans, vicious to animals, and still be virtuous overall; provided that, this person practices virtue on humans to a greater extent than he practices vice on animals. Although, this person would be even more virtuous if he practices virtue on both animals and humans. Our person in question is not fulfilling the duty to perfect his moral character very well.

Section 7: Amphiboly analyzation

Kant's account of the virtues is used to justify treating animals well within his normative framework. For all I have argued, on this view it remains the case that in principle animals are merely a means to the ends of humanity. As we saw at the beginning, many see this as the major black mark for Kant, and it results in the objections to Kant that Wood presents. Wood's objections to Kant's theory, as of yet, still stand. In this section, I will argue that the supposed black mark is not a problem. Those who think it is a problem are caught in what Kant terms as an "amphiboly." Analyzing the amphiboly will be easiest after Wood's objections have been addressed.

Wood's quirk of human psychology objection (interpreted in section 2, on page 13 of this paper) fundamentally misunderstands how virtues operate. The objection only succeeds if a possible world exists in which acting viciously toward animals can make humans virtuous (i.e. not vicious). It is impossible for such a world to exist, given the context of rationally autonomous beings that can have the concept of virtue predicated to them. In this theoretical world, one is becoming not vicious by acting viciously; moreover, acting viciously is what makes one vicious by definition. Thus, in this theoretical world, acting viciously causes one to become vicious and not vicious: contradiction. I believe the quirk of human psychology objection fails for this reason.

Despite the contents of the previous paragraph, the aliens I discuss in section 2 create an objection to Kant's theory that is similar to the quirk of human psychology objection. We can call this objection, "the quirk of alien psychology." Since the aliens cannot have the concept of virtue predicated to them, and because the duty to treat animals well comes from virtue, it follows that these aliens are not obligated to treat animals well within Kant's normative work nor

within virtue theory generally. To no fault of their own, the aliens can treat no beings (rational or irrational) virtuously nor viciously. In the sense that virtues are inclinations to do good, and the aliens have no inclinations; yet, they follow the moral law solely from motives; we have discovered theoretical beings which are both moral (i.e. not amoral) and avirtuous (i.e. neither virtuous nor not virtuous). People concerned with animal rights are entitled to take issue with both Kant and virtue theory on this point. Neither Kant nor virtue theory can yield any duties for these strange aliens to respect animals at all.

I simply have to bite the bullet on this objection: the quirk of alien psychology. To make biting this bullet easier, I would like to point out that all moral theories probably have some strange alien objection. The utilitarian monster can be seen as such an alien. There could even be aliens right now (unbeknownst to us) who are watching us from far away and getting large amounts of utility from watching us suffer. The amount of utility these aliens get from our suffering could be so great that the only way for us to maximize utility is to intentionally cause human suffering to please the aliens. So, if we are going to deny my work due to the quirk of alien psychology, we also have to deny virtue theory. Moreover, we would have to take similar alien objections to utilitarianism just as seriously and deny utilitarianism as well. My point is that expecting a moral theory to have no strange aliens producing counterintuitive results is asking too much of a moral theory. The aliens I thought of were created as a thought experiment to discover something about the categorical imperative. They do not actually exist. I find them to be so farfetched that they should not be taken seriously when putting Kant's theory into practice for everyday life.

Another objection of Wood's (which I interpret in section 2) is that children are not to be treated as ends within Kant's normative framework. Let us examine what it means to treat a child

as an end for Kant. To treat something as an end is to treat it as rationally autonomous.

Respecting a rationally autonomous agent requires letting said agent deduce and follow moral duties on his/her own; i.e., an autonomous agent is subject only to his own will. Thus, to treat children as ends is to not give them any moral duties to follow. Let us say that you have a small child and want to take him/her to the doctor. However, your small child does not want to go to the doctor. If we are to treat children as ends, then we cannot force small children to go to the doctor; just as, we cannot force matured adults to go to the doctor. There are also certain activities which we, as a society, allow adults to do but not children. Adults have a high level of rational autonomy and so are allowed to drink alcohol or enjoy tobacco if they choose. Children do not have a high level of rational autonomy. We make the choice for them to neither drink alcohol nor enjoy tobacco. Our society would not be justified in prohibiting children from alcohol and tobacco if we were to treat them as rationally autonomous agents (i.e., ends). Hence, treating children as ends within the Kantian normative theory -as Wood thinks we should- goes against common sense.

The same can be said of animals. If you want to treat your pet as an end on Kant's theory, and if your pet does not want to go to the veterinarian, then you must treat your pet as if it has rational autonomy by not taking it to the veterinarian; that goes against common sense. Consider mentally handicapped people. A patient in a psychiatric ward can refuse to take his medication and do something he ought not to be doing (e.g., harming people) as a result. A nurse is not justified in forcing the patient to take his medication if we are to treat the mentally handicapped as Kantian autonomous ends. That also goes against common sense.

Since animals, children, and the mentally handicapped are not ends in the technical Kantian sense, our society is justified in treating them in the manner in which we do. Kant's

theory corresponds to common sense in this way. Some people, perhaps, will object to this. Maybe some think we ought not force small children to go to the doctor if they protest, and we should let them drink alcohol and savor tobacco when they choose to. Such people might protest that it would be wrong to force pets to go to a vet, or administer drugs to psychiatric patients without consent. In response to this, such a view contradicts common sense in that we have laws justifying rational adults to take control over non-rational beings in the way I have described. Additionally, I see no sufficient reason to treat beings that are not rationally autonomous as if they are rationally autonomous.

Those who think Kant's views on treating animals do not correspond to common sense are confused about how 'end' is being used. I believe that is the source of the amphiboly. 'End' is defined by the phrase, "valuable for its own sake"; although, there is a laymen meaning of that phrase, and there is the conceptually engineered technical Kantian meaning of that phrase. The laymen meaning can only be defined by experiencing its use in the proper contexts. The technical Kantian meaning is defined as, "a rationally autonomous agent" in this paper. When Kantian theorists attempt to interpret Kant in only laymen terms, an ambiguity is created between the technical meaning and the laymen meaning. This ambiguity is yielding the amphiboly, because the ambiguity is largely unnoticed. Analyzing the amphiboly, therefore, necessitates my heavy use of Kant's terminology.

I cannot imagine that Wood wants animals to be treated as ends in the technical Kantian sense. Wood most likely wants them treated as ends in the laymen sense. In my view, treating animals virtuously is what it means to treat them as ends in the layman sense. This is what Kant's theory gives, and it is all anyone should ask for. While it is true that animals are technically a means to improving our moral character, this is merely a technicality resulting from

Kant's conceptual engineering. We must care about animals as ends in the laymen sense in order for us to treat them virtuously at all.

It should be noted that, there is considerable overlap in meaning between the technical sense of the word 'end', and the laymen sense of 'end'. Since the laymen sense of 'end' is not a technical term, it is not susceptible to an explicit definition. Hence, there is no way to say exactly what the shared meaning is. One can, however, get an idea of the shared meaning by experience with them in their appropriate contexts. Evidence for this can be found within the discussion of non-animate nature.

As Wood points out, Kant argues that we should value the beauty in non-animate nature as an end [MM, 6:443]. Obviously, non-animate nature is not rationally autonomous and not an end in the technical sense. With my analyzation of the amphiboly in hand -contrary to Wood- there is no paradox here. When Kant says we ought to value non-animate nature as an end, he means this in the laymen sense of, "To value something apart from its intention to use it." This laymen sense is relevant to the technical sense because of their shared meaning. Illustration: when a person practices wanton destruction of beautiful trees or crystals, that person strengthens the disposition of disregard for beauty generally; contrastingly, a person strengthens his regard for beauty by admiring non-animate nature [MM, 6:443]. People have a natural beauty in many ways, which they value. Having a strong disposition to regard beauty will aid one to regard the beauty of people. Regarding the beauty of people is a way of demonstrating to them your respect for their inherent value.

One may object that "inherent value" is supposed to be synonymous with "autonomous". What does admiring one's beauty have to do with respecting autonomy? I reply, there are

rational reasons for people to want their beauty to be admired. When you respect what someone rationally wants, you are respecting what they have chosen. Thus, you are respecting autonomy.

At this point one might worry that we have ended right where we began with the black mark. Even though -as I have argued- we must treat animals, children, and the mentally disabled with respect, they are at base only morally significant as a means to help humans increase their virtue. They have no moral importance in their own right, and the quirk of alien psychology shows that. I have also considered all three of them to be morally equivalent; some may find this repulsive. To ease this repulsion, keep in mind that they are only morally equivalent in that all three of them act mostly from inclination and not from reason. Naturally, there are many important differences between animals, children, and the mentally disabled. These differences, however, are not important within the context of my thesis. I do not exclude the real possibility of needing to distinguish between children, animals, and the mentally handicapped in contexts outside of this work's topic.

There may still be people who protest at the black mark. Treating animals as ends in the laymen sense may not be enough for everyone. Perhaps some people also want animals treated as ends in the technical sense. Such people may be over glorifying animals. This over glorification prohibits people from interacting with animals in ways that most animal lovers approve of. For instance, to force an adult human to live with you and use him as a means for love and affection without his consent is wrong. Yet this is what people do with dogs all the time. Since dogs can't rationally consent to anything, Kant's theory justifies us in having pets. It would be morally impermissible to have a pet if animals were ends in the technical sense, just as it is morally impermissible to capture another person and use him as a pet.

Seeing the importance of valuing rational people as ends in the technical sense -and not animals- is easiest when analyzing slavery. Slavery is wrong because a slave owner is forcing another person to work against his own will. Accordingly, it is wrong to capture a human and make him plow your field. A horse, however, does not have a will. It is permissible to capture a horse, strap that horse to a plow, and make it plow your field. This is provided that you do not over work the horse and tend to its needs. If horses were ends in the technical sense as humans are, then using a horse on a farm would be just as wrong as using a human on a farm. Many farmers love their horses. I do not know of any cultures that prohibit the virtuous agricultural use of animal labor. So, the over glorification of animals as ends in the technical sense is an extreme view, which should not be taken seriously. My interpretation of Kant's theory well supports the common-sense beliefs we have regarding animal labor.

I wish to conclude that the black mark is a fundamental part of Kantianism. Those who try to argue away the black mark are leaving Kant's theory behind and creating a new kind of deontology. Of course, creating a new deontological theory is a fine thing to do. I, however, do not see a need to replace Kant's deontology. Those who see such a need have been caught in the amphiboly. I believe this amphiboly has been created by the common practice of interpreting Kant predominantly in common language. Ultimately, any of Kant's technical terms can be defined in common words, making Kantian terminology short hand for a collection of common words. But to completely ignore Kantian terminology on that account, creates an ambiguity between the arbitrarily stipulated Kantian technical meaning of the terms, and the laymen meaning of those terms. Hence, an amphiboly is created. With my analyzation of the amphiboly in hand, it can be seen how Kant's theory gives us everything common sense says we should have in a normative theory regarding animals. People who want a normative theory to yield more

respect for animals are not appreciating the real differences between rational and non-rational beings. The black mark allows Kantianism to respect those differences, while yielding virtuous duties regarding animals. In this way, I do not view the black mark as a weakness of Kant's theory. It is a strength of the theory.

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